



Express Mail No.: EL 45158 235 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dasseux, *et al.*

Serial No.: 09/465,718

Filed: December 17, 1999

Group Art Unit: 1631

For: APOLIPOPROTEIN A-I
AGONISTS AND THEIR USE
TO TREAT DYSLIPIDEMIC
DISORDERS

Examiner: Borin

Attorney Docket No.: 9196-018-999

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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
Box AF
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated May 3, 2002 of the Primary Examiner finally rejecting claims 1, 56-75 and 79-83 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for 1 month(s):
☐ was filed on
☒ is submitted herewith.
2. ☒ A timely response to the final rejection is filed herewith.
3. ☐ A fee in the amount of \$320.00 is:
☐ Required.
☐ Not required (Fee paid in prior appeal).
4. ☒ Applicant has qualified for the 50% reduction in fee for an independent inventor, non profit organization or small business concern and a fee in the amount of \$160.00 is:
☒ Required.
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date September 3, 2002

43,341

Birgit Millauer

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AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116

Commissioner for Patents
Washington, D.C. 20231

Sir:

Reconsideration of the claims in light of the amendments and remarks that follow is kindly solicited. Enclosed herewith are Exhibits A (Claim Amendments: Version with Markings to Show Changes Made), B (Claim Amendments: Pending Claims After Entry of the Instant Amendment) and Exhibit C (Specification Amendment: Specification After Entry of the Instant Amendment), Notice of Appeal and Petition for Extension of Time extending the period for response by one month to and including September 3, 2002.

AMENDMENT

IN THE CLAIMS

Please cancel Claims 20-35, 43-55 and 80-81 without prejudice.

Please amend Claims 1, 56-75, 79, 82 and 83 to read as follows:

SUB 01/1. (Twice amended) An ApoA-I agonist compound comprising: